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EXAMINER

ZHOU, TING

ART UNIT

PAPER NUMBER

2173

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/865,394

Applicant(s)

HAND ET AL.

Examiner

Ting Zhou

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,6-8,10 and 12-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,6-8,10 and 12-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. The Request for Continued Examination (RCE) filed on 16 August 2004 under 37 CFR 1.53(d) based on parent Application No. 09/865,394 is acceptable and a RCE has been established. An action on the RCE follows.
2. The amendments filed on 24 May 2004, submitted with the filing of the RCE have been received and entered. The applicant has added new claim 20. Claims 1-2, 4, 6-8, 10 and 12-20 as amended are pending in the application.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 4, 6-8, 10 and 12-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Chari et al. U.S. Patent 6,046,742.

Referring to claims 1 and 7, Chari et al. teach a method and machine readable storage comprising obtaining from a display map, at least one reference to at least one node, where each node is associated with a display element displayable in the display map (the management window displays a plurality of nodes, or system components associated with display elements, or

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icons on the map window) (column 4, lines 41-58, column 6, lines 19-33 and column 10, line 63 – column 11, line 35; this is further shown in Figure 6), and wherein each node has a plurality of selectively presentable attributes (the nodes of the system, i.e. the displayed icons representing system components in the left hand side of the System Management Window 600 can be selected to present, or display, the associated attributes, or forms containing the updatable component variables) (column 11, line 61 – column 12, line 32, column 13, lines 16-37 and column 14, lines 49-63; this is further shown in Figure 24), and wherein each node represents a component in a complex heterogeneous system (the nodes are components in a computer network) (column 4, lines 41-58 and column 8, line 65 - column 9, line 4); receiving at least one data metric from the component (users can browse through the MIB-defined variables, or nodes, which represent data concerning all the hardware and software components in a computer network; the parameters representing the components are organized into hierarchical levels, as shown in Figure 6; users can display forms associated with variables and change the value of the variables) (column 6, lines 28-32 and column 14, lines 49-63), converting the at least one data metric into an updated value and providing an updated value to the node, the node updating the display element in the display map to reflect the updated value (modifying one of the operational parameters representing a component and updating the status of the component corresponding to the modification; users can update a data metric value, or variable, via input on the displayed form of the display element, i.e. the forms containing the component variable parameters are updated on the display as the user enters a variable value; after the user updates the display map with the newly entered variable value, the MIB manager implements the user's changes) (column 6, lines 62 - column 7, line 27, column 14, line 49 – column 15, line 5 and column 20, lines 54-58),

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wherein the obtaining, receiving, converting and providing steps are performed within a software agent (SNMP agent), wherein the software agent is a platform-independent software object (the network can contain many servers connected to the network, and each network is represented by a SNMP agent, which is a software agent, that acts as an intermediary between the server components and the network; the SNMP agent receives requests for data from the SNMP manager, retrieves the corresponding data, and displays it on the display map; the data could be one of the plurality of operational parameters about different components in the network) (column 2, lines 3-14, column 6, line 62 - column 7, line 25, column 9, lines 34-42 and column 13, lines 24-37), and wherein the display map simultaneously displays the display elements in a planar fashion (as shown in Figure 6 for example, the display elements, or icons representing the system components are displayed in a two-dimensional plane) (column 4, lines 41-58 and Figure 6).

Referring to claims 2 and 8, Chari et al. teach using the updated value for computing an indicator for representing at least one attribute of the node and displaying the computed indication on the display map within the display element (as shown in Figure 17, the display element, or icon and associated variable values representing a system component comprises the display of an indicator, or fields on the form associated with the element, such as “Minimum Speed”, “Alert Temperature”, etc. representing updatable variables of the component).

Referring to claims 4 and 10, Chari et al. teach a method comprising providing by request to a plurality of software agents (SNMP agents, each associated with one a plurality of servers) (column 7, lines 12-15), references to a plurality of nodes where each node is associated with a display element displayable in a display map (the management window displays a plurality of

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nodes, or system components associated with display elements, or icons on the map window) (column 4, lines 41-58, column 6, lines 19-33 and column 10, line 63 – column 11, line 35; this is further shown in Figure 6), and wherein each node represents a component in a content delivery network (the nodes are components in a computer network) (column 4, lines 41-58 and column 8, line 65 - column 9, line 4), each of the receiving agents, receiving at least one data metric from associated ones of the component (the SNMP agents receive information requests from the SNMP manager and the SNMP agents retrieve these information and display them on the display) (column 9, lines 34-42 and column 13, lines 24-37); each of the agents, computing at least one updated node value responsive to receiving the data metric and updating at least one of the display elements in the display map with the updated node values received from the agents (modifying one of the operational parameters representing a component and updating the status of the component corresponding to the modification; users can update a data metric value, or variable, via input on the displayed form of the display element, i.e. the forms containing the component variable parameters are updated on the display as the user enters a variable value; after the user updates the display map with the newly entered variable value, the MIB manager can call the SNMP manager to implement the user's changes, i.e. change the variable's value) (column 6, lines 62 - column 7, line 27, column 13, lines 24-37, column 14, line 49 – column 15, line 5 and column 20, lines 54-58), wherein the display map simultaneously displays the display elements in a planar fashion (as shown in Figure 6 for example, the display elements, or icons representing the system components are displays in a two-dimensional plane) (column 4, lines 41-58 and Figure 6).

Referring to claim 6, Chari et al. teach a system comprising a display map for displaying a plurality of display elements, each display element associated with a node (the management window displays a plurality of nodes, or system components associated with display elements, or icons on the map window) (column 4, lines 41-58, column 6, lines 19-33 and column 10, line 63 – column 11, line 35; this is further shown in Figure 6), and wherein each display element represent at least one reported values for the associated nodes (each of the node icons represents component values, or variables that can be selected and configured by the user) (column 11, line 61 – column 12, line 19 and column 14, lines 49-63), a plurality of components distributed across a heterogeneous network (the nodes are components in a computer network) (column 4, lines 42-47 and column 8, line 65 - column 9, line 4); and a plurality of agents configured to acquire references to individual ones of nodes and obtain updated values for the nodes from data metrics obtained from associated ones of the components (the SNMP agents configured to receive information requests from the SNMP manager regarding values for components and the SNMP agents retrieve these information and display them on the display) (column 9, lines 34-42 and column 13, lines 24-37), the agents reporting the updated values to the nodes, the nodes responsively updating associated display elements (modifying one of the operational parameters representing a component and updating the status of the component corresponding to the modification; users can update a data metric value, or variable, via input on the displayed form of the display element, i.e. the forms containing the component variable parameters are updated on the display as the user enters a variable value; after the user updates the display map with the newly entered variable value, the MIB manager can call the SNMP manager to implement the user's changes, i.e. change the variable's value) (column 6, lines 62 - column 7, line 27, column

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13, lines 24-37, column 14, line 49 – column 15, line 5 and column 20, lines 54-58), wherein the display map simultaneously displays the display elements in a planar fashion (as shown in Figure 6 for example, the display elements, or icons representing the system components are displays in a two-dimensional plane) (column 4, lines 41-58 and Figure 6).

Referring to claims 12 and 17, Chari et al. teach the display map including a plurality of nodes (plurality of nodes shown on the left side of the display map in Figure 17), and wherein particular ones of the nodes receive updated values provided by a plurality of different software agents (modifying one of the operational parameters representing a component and updating the status of the component corresponding to the modification; users can update a data metric value, or variable, via input on the displayed form of the display element, i.e. the forms containing the component variable parameters are updated on the display as the user enters a variable value; after the user updates the display map with the newly entered variable value, the MIB manager can call the SNMP manager to implement the user's changes, i.e. change the variable's value) (column 6, lines 62 - column 7, line 27, column 13, lines 24-37, column 14, line 49 – column 15, line 5 and column 20, lines 54-58).

Referring to claims 13, 15 and 18, Chari et al. teach a plurality of different agents (SNMP agents) receive at least one data metric from one of the components (modifying one of the operational parameters representing a component and updating the status of the component corresponding to the modification; users can update a data metric value, or variable, via input on the displayed form of the display element, i.e. the forms containing the component variable parameters are updated on the display as the user enters a variable value; after the user updates the display map with the newly entered variable value, the MIB manager can call the SNMP



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manager to implement the user's changes, i.e. change the variable's value) (column 6, lines 62 - column 7, line 27, column 13, lines 24-37, column 14, line 49 – column 15, line 5 and column 20, lines 54-58).

Referring to claims 14 and 19, Chari et al. teach for particular ones of the agents, at least one data metric comprises a plurality of data metrics, and wherein at least one updated node value comprises a plurality of updated node values, wherein the plurality of updated node values for the component are displayed within an associated one of the display elements (as shown in Figure 19, where the component node "FANS" and its associated data metric, or values, contain a plurality of nodes "FAN NUMBER 1", "FAN NUMBER 2", etc., each with their associated data metrics, or values; as a further example, each of the forms for selected nodes of the system can have a plurality of node values, or variables, such as "Minimum Speed", "Alert Temperature", "Shutdown Temperature", etc. that can be displayed and updated, as shown in Figure 17).

Referring to claim 16, Chari et al. teach a plurality of updated values associated with one of the components are displayed within one of display elements presented within the display map, as recited in column 6, lines 62-67 and column 7, lines 1-27 and column 20, lines 54-58, and further shown by the display of the values associated with the display element, or component node representing the component "FAN NUMBER 1" in Figure 19.

Referring to claim 20, Chari et al. teach identifying at least one display map parameter relating to at least one of the attributes and setting each node so that each associated display element is adjusted to present attributes in accordance with the at least one display map parameter (the display element, or icon displayed is adjusted in accordance with a display map

parameter, such as user selection of the icon, causing sub-component icons to be displayed; for example, as shown in Figure 15, the display map parameter of a user selecting the “DIMM’s” icon cause adjustment of the display elements such as the display of the sub-component icons “DIMM Number 1” – “DIMM Number 12”; as another example, Figure 16 shows that the display map parameter of a user selecting the “DIMM Number 1” icon relating to the attributes, or component variables values of the system component, causes the associated form containing user configurable variables for the system component to be presented on the display map) (column 11, line 24 – column 12, line 19).

#### ***Response to Arguments***

4. Applicant's arguments filed 24 May 2004 have been fully considered but they are not persuasive.

5. With respect to claims 1, 4, 6, 7 and 10, the applicant asserts that Chari provides no teachings that would allow display elements to be simultaneously displayed within a display map in a planar fashion, because instead, Chari discloses a system where nodes are displayed in a hierarchical fashion. The examiner respectfully disagrees. According to *Webster's II New College Dictionary*, copyright© 1995 by Houghton Mifflin Company, the definition of the word “planar” is: “1. Of, pertaining to, or located in a plane. 2. Flat. 3. Having a two-dimensional characteristic.” Chari illustrates, as shown for example in Figure 6, the plurality of system nodes displayed in a two-dimensional plane. Furthermore, as stated by the applicant on page 10 of the Remarks/Arguments filed on 24 May 2004, “By presenting the display elements in a

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planar fashion, a display map can visually illustrate the interconnections among network components". Figure 6 of Chari visually illustrates the interconnections of the system nodes, i.e. the display visually shows a user viewing the display map that the "System Information", "Cooling" Subsystem", "Power Subsystem", "CPU Subsystem", "Adapters", "Drivers", "Slots" and "Canisters" nodes are sub-components connected to the "NF9000 Family" component node, which is a connected sub-component of the "micron" component node. As can be seen from this figure, Chari visually shows the interconnections of the nodes of a network system on a two-dimensional plane display map. Therefore, the examiner respectfully contends that Chari teaches allowing display elements to be simultaneously displayed within a display map in a planar fashion.


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 8:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeza can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-4058.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TZ



**RAYMOND J. BAYERL**  
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**ART UNIT 2173**